

REMARKS

MISSING INITIALED FORM 1449

Applicants have not received copies of Form 1449 that indicate the references listed thereon were considered for an IDS filed on February 23, 2005 and another IDS filed on April 5, 2006. The 1449 forms for these two Information Disclosure Statements have been scanned into PAIR. Applicant respectfully requests that the Examiner initial and return the 1449 forms with the next action.

Objection to the Drawings

The drawings were objected to under 37 CFR §1.83(a) because the phrase "display orientation context value" was said to not be shown in the drawings.

Examples of display orientation context values are shown in FIG. 12 as Portrait 1304, Portrait (upside down) 1306, Landscape Left 1308, Landscape Right 1310 and Flat 1316. Thus, the drawings show display orientation context values.

§112, First Paragraph

Claims 5 and 9 were rejected under 35 U.S.C. §112, first paragraph and the specification was also objected to for not describing "display orientation context values" as found in claims 5 and 9. Support for the phrase "display orientation context values" is found on page 14, lines 20 - 27; page 16, Table 2; and pages 22-26. Specifically, in the cited sections, a context information server 800 is said to generate context variables. One of these context variables is a DISPLAYORIENTATION variable that can have values of flat, portrait, landscape left, landscape right, or portrait upside down. (See page 14, lines 24-27 and Table 2, second row). Thus, the cited sections describe a DISPLAYORIENTATION context variable that can take on certain

values. In other words, as found in claims 5 and 9, the cited sections describe Display Orientation context values.

To make this clearer, Applicant has amended the specification on pages 14 and 23 to specifically recite "display orientation context value". These amendments do not add new matter, but merely clarify what was implied in the specification.

With this clarification, the phrase "display orientation context value" is supported in the specification.

§112, Second Paragraph

The Office Action also rejected claim 9 under 35 U.S.C. § 112, second paragraph, as being indefinite because it was said that it was not clear as to what the difference was between a display orientation context value and a tilt context value.

As found in the specification on page 16, Table 2, a DISPLAYORIENTATION context variable and TiltAngleLR and TiltAngleFB context variables are provided by a context server. The values of the DISPLAYORIENTATION context variable are display orientation context values and the values of the TiltAngleLR and the TiltAngleFB context variables are the tilt context values. Applicants have amended the paragraph beginning on page 23, line 23 to specifically recite a "display orientation context value" and a "tilt context value". Applicants believe that these phrase were implicit in that paragraph, but have amended the paragraph to clarify the specification. As such, no new matter has been added by these amendments.

With the amendments to the specification, it is now clear that tilt context values describe the angle of tilting of the device and the display orientation context values describe the orientation of a display on the device. FIG. 12 also helps to clarify the difference between tilt context values and display orientation context values. In FIG. 12, the tilt context values are shown along the horizontal axis and the vertical axis, while the display orientation values are shown to cover ranges of tilt

context values. For example, the Portrait display orientation context value is shown to cover a pie-shaped area that spans values of forward/back tilt context values from zero to 90 degrees and right/left tilt context values from -45 degrees to 45 degrees.

To further clarify matters, Applicant has amended claim 9 to better describe the display orientation context values. With these clarifying amendments, claim 9 is definite.

Claim 10

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lands in view of Watanabe (Japanese Patent Publication Number 6-292826).

Under claim 10, a method in a device having a display includes generating at least one sensor signal using at least one sensor in the device. A holding context value and an orientation context value are generated based on the at least one sensor signal. The holding context value indicates that the user is holding the device and the orientation context value indicates that the device is in an orientation consistent with the user wanting to use the device. Based on the holding context value and the orientation context value, the device is placed in a full power mode.

None of the cited references show or suggest the invention of claim 10 because none of the cited references show or suggest using an orientation context value to place a device in full power mode.

In particular, Watanabe does not show or suggest using an orientation context value to place a device in full power mode. Under Watanabe, a desktop computer is placed in a normal power mode when the user touches a keyboard. Based only on the abstract, there is no mention of an orientation context value being used to place a device in full power mode in Watanabe.

Similarly, Lands does not show or suggest placing a device in full power mode based on an orientation context value.

Instead, Lands only discusses using tilt values to control volume levels, brightness levels, zooming and paging.

In addition, there is no suggestion in either Lands or Watanabe for combining the tilt values of Lands with the power mode control of Watanabe. Without such a suggestion, those skilled in the art would not be motivated to place a device in full power mode based on a tilt value.

In the Office Action, it was stated that the motivation to combine these two references was to provide a power saving data processor that is easy for a user to use. Applicants respectfully dispute this assertion.

In claim 10, the device is not going into a power saving mode. Instead, claim 10 involves placing the device in full power mode. Thus, the suggested motivation to form a power saving data processor would not motivate those skilled in the art to form a device that is placed in full power mode based on a handling context value and an orientation context value as found in claim 10. Further, the simple desire to have a power saving data processor would not lead those skilled in the art to look to using tilt sensors as found in Lands.

Since neither Lands nor Watanabe show or suggest using the orientation of a device to place a device in full power mode, and there is no suggestion for combining these two references, the combination of the cited references does not show or suggest the invention of claim 10.

Claim 12

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lands in view of Watanabe and further in view of Schultz et al. (U.S. Patent No. 6,970,182, hereinafter Schultz).

Claim 12 is directed to a method in which at least one sensor signal is generated that indicates the distance to an object without requiring the object to touch the device. Based on this sensor signal, a sequence of proximity context values is

generated. The sequence of proximity context values indicates the movement of an object relative to the device. Under the method, the device is prevented from entering an idle mode because the sequence of proximity context values indicates that an object is moving relative to the device while allowing the object to enter an idle mode when the sequence of proximity context values indicates that an object is present but not moving relative to the device.

Claim 12 is not shown or suggested by the combination of cited references. In particular, none of the references show or suggest that a device should be prevented from entering idle mode because movement is detected using a sensor that indicates the distance to an object without requiring the object to touch the device. In fact, Schultz teaches away from this limitation by indicating that trigger circuitry should not be prevented from going into an idle mode after a time period expires, regardless of the movement of an object. (See Schultz, col. 10, lines 44-60).

In the Office Action, this argument was countered by citing the fact that Schultz teaches exiting an idle mode when an object presence signal is asserted. However, exiting an idle mode is not the same as preventing a device from entering idle mode. In addition, even with the object presence signal asserted, Schultz will allow the device to go into idle mode. As such, Schultz does not prevent a device from entering idle mode because movement is detected. Further, the object presence signal does not indicate movement, it only indicates presence.

Since none of the cited references show or suggest preventing a device from entering an idle mode because movement is detected using a sensor that indicates the distance to an object without requiring the object to touch the device, claim 12 is patentable over the cited references.

Claim 14

Claim 14 was rejected under 35 U.S.C. § 103(a) as being

unpatentable over Lands in view of Anderson (U.S. Patent No. 5,714,997).

Claim 14 is directed to a method in which at least one sensor signal is used to generate a holding context value that indicates that a user is holding the device. An orientation context value is also generated that indicates that the device is in an orientation consistent with the user wanting to use the device. Based on the holding context value and the orientation context value, a sound capturing application is activated.

None of the cited references show or suggest initiating a sound capturing application based upon a holding context value and an orientation context value. In the Office Action, it was asserted that Anderson shows this limitation at Col. 2, lines 35-47. Applicants respectfully disagree.

In the cited section, Anderson discusses a sound capture system that has four microphones. It makes no mention of how this sound capturing system is activated and in particular does not show or suggest activating the system based on a holding context value or an orientation context value. As such, it does not show or suggest activating a sound capturing application based on a holding context value and an orientation context value as found in claim 14. Since Lands also fails to show this limitation, claim 14 is patentably distinct from the combination of cited references.

In the Office Action, it was asserted that the orientation context value is shown by Lands. Although Lands uses tilt sensors to control the amount of paging, volume, brightness and zoom, it does not discuss activating any of these features using a tilt sensor. Instead, the user must press a button to activate paging, volume control, brightness control and zoom control.

Since Lands does not show activating an application based on an orientation context value, the combination of Lands and Anderson does not show or suggest activating a sound capturing

system.

Further, there is no suggestion in either reference for forming the combination as found in claim 14. Specifically, neither reference shows or suggests adding sound capturing to the Lands device. Even if sound capturing were added to the Lands device, neither reference shows or suggests that the tilt sensors in Lands could be used to activate the sound capturing application. Thus, there is no motivation or suggestion for combining these references to form the invention of claim 14.

Claims 31-33

Claims 31-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Smith (U.S. Patent No. 5,963,952).

Claim 31 is directed to a method in which an indication that a user of a device wants to scroll an image on the device is received. Based on this indication, at least one toolbar that was shown on the display before receiving the indication is removed from the display. The image is then scrolled.

The invention of claim 31 is not obvious from the combination of Thomas and Smith. In particular, it is not obvious to remove a tool bar based on an indication that a user wants to scroll an image on a device.

Although Smith removes a tool bar and a menu bar, Smith removes the tool bar and the menu bar "in order to lock out any possible local store of a form without the capture of entered data". (Smith, Col. 5, lines 52-55). The concern about locking out any possible local store is not present with scrolling. As such, Smith would not motivate those skilled in the art to remove a tool bar from a display based on an indication that a user wants to scroll an image on a device.

In the Office Action, it was stated that the motivation to remove tool bars from Thomas was in order to provide a consistent user interface. However, removing tool bars does not provide a

consistent user interface. In fact, it provides the opposite of a consistent user interface because the tool bars are present and then are removed. In a consistent user interface, the tool bars would always be present, even during scrolling.

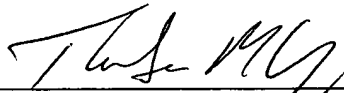
Conclusion

Based on the above remarks, claims 5, 9, 10, 12, 14 and 31-33 are patentable over the cited art. Reconsideration and allowance of the claims is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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